

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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UNITED STATES OF AMERICA,

Case No. 17-CR-0090 (PJS/DTS)

Plaintiff,

v.

ORDER

CHRISTOPHER VICTOR GRUPE,

Defendant.

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This matter is before the Court on the defendant's motions to continue the trial and exclude time under the Speedy Trial Act. ECF Nos. 23, 25. Defendant seeks a continuance of the trial date until October 2, 2017 and commensurate exclusion of time from the Speedy Trial Act computations in this case. Defendant recently hired new counsel, who needs additional time to prepare for trial. The government does not oppose the motion.

The Court finds that failure to exclude time to allow for further trial preparation, which taken as a whole is not so unusual or complex as to fall within 18 U.S.C. §3161(h)(7)(B)(ii), would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The Court therefore finds that the ends of justice served by continuing the trial date outweigh the interest of the public and the defendant's right to a speedy trial under 18 U.S.C. § 3161(h)(7)(A).

Based upon all the files, records, and proceedings herein, IT IS ORDERED that:

1. The defendant's motions to continue the trial and exclude time under the Speedy Trial Act [ECF Nos. 23, 25] are GRANTED.
2. This case is scheduled for trial on October 2, 2017 at 9:00 a.m. in Courtroom 14E, Minneapolis, before Judge Patrick J. Schiltz.
3. A status conference will be held on September 29, 2017 at 9:00 a.m. in Courtroom 14E, Minneapolis, before Judge Patrick J. Schiltz. The government must submit its lists of prospective witnesses and prospective exhibits at this conference.
4. Trial briefs, voir dire questions, proposed jury instructions, and trial-related motions (including motions in limine) must be submitted to Judge Schiltz's chambers by 4:00 p.m. on September 20, 2017. Responses to trial-related motions (including motions in limine) must be submitted by 4:00 p.m. on September 25, 2017.
5. The time from the date of the defendant's motion (June 8, 2017) through the trial date shall be excluded from the calculation of days within which trial must commence under 18 U.S.C. § 3161.

Dated: June 9, 2017

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge